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## **Novack and Macey Defeats Motion for TRO and Pre-Judgment Attachment**

AUGUST 22ND, 2008

Novack and Macey LLP attorney Michael A. Weinberg scored a crucial early victory for two of the firm's clients, who are defendants in a case alleging breaches of employment contracts and shareholder agreements and breaches of fiduciary duty. Immediately upon the filing of the complaint in late July, 2008, plaintiff asked for entry of a temporary restraining order and preliminary injunction which, if granted, would have frozen defendants' assets, and imposed a constructive trust on more than a million dollars of funds that were about to be paid to one of the defendants in connection with an asset sale. Weinberg responded to plaintiff's motion within a day after it was received by filing an opposing affidavit of his client, and thereafter filed a brief fully explaining why the relief sought by plaintiff was unsupported in fact and impermissible at law. The motion was orally argued before Judge Kenneth L. Popejoy of the Chancery Division of the Circuit Court in DuPage County, Illinois on August 6, 2008, at which time the Court agreed, on the record, with the arguments advanced by Novack and Macey, and entered an order denying the motion in its entirety. The assets of the firm's clients remain unfrozen, and the million dollar plus asset sale payment was made to the firm's client without restriction.

For further information, please contact Michael A. Weinberg at 312.419.6900.